Vice-Admal *Leſtock's*

RECAPITULATION,

As ſpoke by him

At the Bar of the Honble Houſe of COMMONS,
on *Tueſday* the 9th of *April*, 1745.

CONTAINING,

His REMARKS on the Evidence that have been examined, relating to the late Miſcarriage of his Majeſty's Fleet off *Toulon*, againſt the combined Fleets of *France* and *Spain*. Wherein he points out the true Cauſe of this Miſcarriage; ſupporting the Whole by quoting Admiral *Mathews*'s Account, which was publiſh'd by Authority, *&c.*

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MVSEVM
BRITAN
NICVM

Vice-Admiral *Leſtock*'s

RECAPITULATION,

As ſpoke by him

At the Bar of the Hon^ble^ Houſe of Commons,
on *Tueſday* the 9th of *April*, 1745.

I THINK it a Duty incumbent upon me to thank this Honourable Committee for their great Candour and Patience thoughout this Enquiry; and alſo for the particular Indulgence in allowing me a Chair at the Bar. I ſhall always retain the moſt grateful Senſe of the Favours and Honour I have received, ſuch as will never be effaced out of my Memory.

I flatter myſelf I appear in a more favourable Light to this Honourable Committee than when firſt this Enquiry was opened; but it has been my great Misfortune that my Evidences were not arrived, to remove every Doubt or Suſpicion of my Conduct that may be yet remaining, tho' I applied for their being ſent for Home ſo ſoon as I had procured his Majeſty's Order for bringing me to a Trial, which was the 20th of laſt *Auguſt*, now almoſt eight Months ago. Thoſe that have been examined are only ſuch as Chance have ſent in my Way: It is therefore a great Concern to me that all my Witneſſes were not here to juſtify every Part of my Conduct, and render my Innocence more conſpicuous, as my Reputation as an Officer, my All is at Stake, in the Applauſe or Cenſure of this Honourable Houſe.

It is with humble Submiſſion that I mention, notwithſtanding the great Indulgence I have received from the Honourable Committee, that I have laboured under greater Diſadvantages, in the Courſe of this Examination, than the Gentleman whoſe Authority laid the preſent Suſpenſion on me. Had I been permitted to have croſs-examined the Witneſſes, I flatter myſelf that from their Evidence I ſhould have gathered ſufficient Matter to invalidate their Teſtimony, and what would have made greatly for me.

I beg

I beg the Indulgence of the Honourable Comittee to mention ſome Particulars.

Capt. *Marſh*, of the *Winchelſea*, gave it as his Opinion, that had I ſteer'd half a Point or a Point more to Leeward (as he ſaid I kept the Admiral always upon my Lee-Bow,) I ſhould have got up to engage the ſternmoſt Ships. I appeal to every Seaman in this Honourable Committee, whether it is poſſible for a Man four or five Miles a-head, and wide of a Ship, to judge ſhe ſteers within a Point, or half a Point of the Compaſs. I humbly apprehend as this was Capt. *Marſh*'s Situation with regard to me, it was impoſſible for him to have diſtinguiſh'd ſo nicely ; and if it was ſcrupled at my ſeeing the *Poder* diſmaſted, as Capt. *Marſh* was very little ſhort of that Diſtance from me, it may be wondered at his ſeeing a Ship ſteer within half a Point.

Capt. *Long* (who no doubt was a better Judge than Mr. *Marſh*, from his Situation right aſtern of me) does not alledge any thing againſt my Steerage, but, if I remember, he ſpoke in my Favour in that Point.

And as it has been declared by ſeveral Witneſſes, that my ſtudding Sails were frequently ſhifted from

from one Side to the other, I appeal to the Seamen in this Honourable Committee, whether this is not a Proof to invalidate Capt. *Marſh*'s Evidence, as all the Ships a-head had the Wind on the Larboard Quarter.

Capt. *Long* alſo ſays, that he with all his Sail ſet could not get up with me, till I had hauled my Wind and ſhortned Sail, which he ſays I did at three o'Clock, but upon being aſk'd whether the *French* Squadron had then tack'd, he acknowledged they had.

If the Honourable Committee has not already obſerved in the Courſe of the Examination, that the *French* did not tack before the Fireſhip blew up, which was about five o'Clock; upon enquiry into this Particular, it will not be denied: It is a Truth univerſally known, for which Reaſon, I may well ſuppoſe Captain *Long* miſtaken, and that it is evident I neither ſhortened Sail nor clapp'd upon a Wind, until the Signal was made to give over Chace, which was made on that Occaſion.

Lieut. *Dorreil*, of the *Royal-Oak*, declared, that his Captain bore down, until he found that none of the Ships a-head of him would ſuccour him, and he was obliged to haul his Wind again from the Fire of three Ships of the Enemy, having received a Shot in the Head of his Main-Maſt. As there

there were but 6 Ships a-ſtern of the *Real*, theſe 3 with her Second employ'd againſt the *Marlborough*, made four, ſo there were only two left at this rate for my Diviſion; and the Honourable Committee will be pleaſed to obſerve, there was a great Diſtance between our Diviſions, and that the *Cambridge* and *Dunkirk* were poſted in the Line of Battle a-head of me.

Mr. *Mathews*, eager as he may be to condemn me, will not I believe ſay that I could have taken upon me to have broke the Line of Battle, and bore down before the time he bore down upon the *Real*, when I neither knew nor ſaw that he intended to attack the *Spaniſh* Squadron, which, according to the Line of Battle, and the Rules of War, ſhould have fallen to my ſhare, as well as what Lieutenant *Knowles* had told me with regard to my engaging the *Spaniſh* Admiral.—But had he ſent me a Meſſage to have gone after theſe Ships, or made the Signal for me and my Diviſion to give Chace in the Morning, before the ſternmoſt Ships of the Enemy were ſo much a head of me, though I cou'd not have got up to Engage, yet poſſibly I might have kept two or three of the ſternmoſt afore the Wind, and I ſhould have been juſtify'd for breaking the Line, and not endeavouring to engage according to the Order of the Battle, purſuing a ſmall Number of the Enemies Ships before the main Body was diſabled, or run,

and

and leaving my Station on any Pretence, which Injunctions enforce Obedience, as the *1ſt*, *13th*, *21ſt*, and *24th* Articles of the Fighting Inſtructions ſufficiently bear me Witneſs.

By bearing away more than I did, would have ſeparated me to Leeward from the Center, and I ſhou'd not have been in the way at eight at Night, when Admiral *Mathews* ſent me Orders by the Lieutenant of the *Ruſſel*, to keep near him; having ſhifted his Flag from the *Namur* on board of that Ship.

The Conſequences of this Raſhneſs without Authority, as Things afterwards fell out, wou'd have brought the Confederate Fleet between him and me, and it would have been impoſſible for me to have ſuſtain'd ſo heavy a Charge againſt Diſcipline and Order, when it was ſo obvious and plain that my Duty was to do my utmoſt to cloſe with the Center, in Obedience to the Meſſage ſent to me, and the Signal for the Line which was kept abroad.

In the Forenoon we went at the Rate of three Miles an Hour; but when the Action began, the Wind had declin'd ſo much, and the Swell was ſo very high, that we had but juſt Steerage-way: And what ſerves to corroborate this Truth is, the little Diſtance we gain'd in the Afternoon's Sail upon the *Marlborough*; which Ship was all that time in Action, loſt her Maſts, and could not be ſuppoſed to

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go any thing a-head. And as a farther Proof, the *Ruſſel*, my Second a-ſtern, always eſteem'd a good ſailing Ship, not above eight Months from being clean'd, had every Sail ſet, but could not, according to her Captain's Declaration, get up to cloſe with me before I ſhorten'd Sail, which was at Five o'Clock, inſtead of Three, as he imagined, ſince he acknowledg'd that the *French* had then tackt.

Captain *Paulet* has ſaid I reef'd my Top-Sails, but one of his own People has contradicted him.

I have produced five Witneſſes who heard the Meſſages from Mr. *Mathews* deliver'd by his Lieutenant to me on the *Neptune*'s Quarter Deck; they are poſitive I never ſhorten'd Sail, nor did I Reef that Day. They kept the Deck; one of them was quarter'd in the Main-Top, and it was impoſſible for me to have Reef'd without their Knowledge. Beſides, if the Honourable Committee will be pleaſed to conſider the Improbability of my Reefing between Nine and Ten o'Clock, having juſt before received Admiral *Mathews*'s Order, to make more Sail, it is not likely that I ſhould act in open Defiance of my commanding Officer's Order: To what Purpoſe ſhould I do this? It could ſerve no other End than giving him an Opportunity to deſtroy me. There was no Wind to occaſion this Caution, for we did not go more than three Miles an Hour with all the Appearance of fine Weather. Poſſibly, as

Admiral *Mathews* himſelf, being in a good ſailing Ship, did Reef, as did the *Marlborough*, the Gentlemen a-ſtern have been thereby led into this Miſtake.

I appeal to every Seaman whether it was poſſible for me to Reef Topſails with Studding Sails and Top-gallant-ſails abroad, and my Topſail Yards ſlung: And if the Honourable Committee had not been perfectly ſatisfied with Regard to my Innocence in this Point, I had more Witneſſes in Waiting laſt Examination Day ready to declare that I never ſhorten'd Sail, nor Reef'd my Topſails. Beſides, had I done this, ſurely Mr. *Mathews* would not have ſuffered ſo notorious a Breach of his Orders to eſcape him in his Charge againſt me.

I think it neceſſary more fully to explain my bringing to, the Night before the Action.

As ſoon as Mr. *Mathews* made the Night-Signal to bring to, the Line of Battle abreaſt was deſtroy'd by that Order, and the Signal for that Line ceas'd to be an Order to all Intents and Purpoſes. If I had been wiſer than Admiral *Mathews*, I could on no Pretence have refuſed my Obedience to an Order that I did ſee, to comply with one that had been in Force, and could not be ſo the Moment the Night-Signal was made.

When the Signal was made for the Fleet to bring to, I happen'd to be far to the Weſtward, and in-

a Line abreaſt with the Admiral; but had not that been the Caſe, it would have been my Duty to have brought to immediately, without conſidering any former Order, ſince it was impoſſible that both Orders could be complied with, becauſe two different Situations were requir'd by theſe two Orders.

It is uſual for Ships to ſet the Admiral when there is any Probability of loſing Company; but in all my Practice I never knew it to be done every Hour when lying to; and for what I aſſert on this Subject I appeal to all the Logg-Books and Journals in the Fleet; beſides, a Ship may increaſe her Diſtance from another, yet not alter her Bearings. And farther, had my Sight been ſo nicely diſcerning as to have obſerved a gradual Drift of two or three Miles in eleven Hours in a dark Night, and I had taken upon me to have made more Sail, which was what I could not anſwer, as it was a Breach of the laſt Order receiv'd (the Night-Signal to bring to) yet I muſt have hoiſted my Boat out, and ſearch'd out every particular Ship of my Diviſion, to have order'd them to make Sail, as there is no Signal in the Sailing or Fighting Inſtructions, for a particular Diviſion to make Sail after lying by, nor for bringing to after making Sail.

It has been inſinuated that I held a Correſpondence with the Enemy, a Rumour that was never laid to my Charge by Admiral *Mathews*, however my Enemies may have propagated this Report for want of

ſufficient Matter againſt me. This is ſo ridiculous in itſelf, that I ſhall only ſay I was never on Shore, but once, while the Fleet lay at *Hieres*, and that was with the Leave of Admiral *Mathews*, to meet a *French* Officer, who had taken me a Priſoner in the late War, and treated me nobly; when Mr. *Rowley* and Mr. *Martin*, now Admirals, bore me Company all the Time we convers'd together.

I humbly hope that the Honourable Committee has obſerv'd the great Difficulty and Struggles there were to get ſome of the Evidence to anſwer to the Queſtions that were put to them, relating to Admiral *Mathews*'s Conduct, while, at the ſame Time, they made no Heſitation, but were ready to anſwer to every Thing that made againſt me: And this Method in giving their Evidence, was a Matter of ſo much Surprize to me, that I cannot help mentioning again, Captain *Marſh* ſeeing a Fault of mine, by judging within a Point of the Compaſs at four Miles diſtance, better than he could ſee what Admiral *Mathews* was doing, tho' he was poſted abreaſt of the Admiral in order to repeat his Signals. Neither can I let eſcape me, the indirect Practice of altering a Log-Book, on the falſe and frivolous Pretences that were urg'd; ſince by comparing the Captain's Journal, and Mate's, a Difference was prov'd.

Self-Preſervation, and in Support of the Narrative I deliver'd the firſt Day of the Enquiry, make it neceſſary for me to treſpaſs on the Time of this Honourable

rable Committee, by pointing out the true Cauſes of this fatal Miſcarriage, in which if I palliate, deceive, or miſrepreſent, may I ſuffer greater Evils than I have already, the Cenſure of this Houſe, to confirm the popular Clamour and Fury againſt me.

It has not been ſaid by any one Evidence that has been examined, that we were in Order of Battle, when Admiral *Mathews* bore down, and attack'd the *Spaniſh* Admiral. But it has been urged, in order to palliate ſo notorious a Breach of Diſcipline, that had not the Admiral engaged the *Spaniards* at the Time he did, the Enemy would have eſcaped, and we ſhould not have come to an Action at all. Nothing can be more unjuſt than this pretended Plea; ſince the Behaviour of the Enemy, and Method of acting, from the Beginning of their Appearance to the Time the Admiral attack'd them, prove, that giving us Battle was their real Intention: For had it not been ſo, as the next Day, after the *Winchelſea* made the Signal for their coming out, they had a ſtrong Weſterly Wind, and at Night our Fleet anchor'd in *Hieres Bay*, there was nothing to hinder them from paſſing to *Italy*, had they been bound there; and had they been bound down the *Straights*, next Day when the Eaſterly Wind prevail'd, they would have made Sail from us, and made the beſt Uſe of a fair Wind with clean Ships, inſtead of bringing to in Order of Battle.

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The Subſtance of Admiral *Mathews*'s Account, which was publiſhed by Authority, and now lying before this Honourable Houſe, confirms what I advance, and to it I appeal; where it mentions, "our "Fleet anchor'd in the Bay at Night; next Morn- "ing, our getting under Sail, and the Enemy ſtand- "ing towards us with the Wind Weſterly; and "when it came to the Eaſtward, their bringing to "in a Line of Battle."

Hence it is undeniable, that they came out on Purpoſe to give us Battle; for where elſe could they be bound ſtretching to the Southward, and making more Sail, when the Admiral made the Signal to engage, while our Fleet was in Diſorder, but to gain the Weather-Gage? An Advantage which every good Officer will endeavour to obtain, and be cautious of loſing.

I have proved, by five Witneſſes, that Mr. *Knowler* acknowledged all my Sail to be abroad, when he delivered Admiral *Mathews*'s Meſſage to me; and alſo, as I proved by the ſame Witneſſes, that Lieutenant *Jaſper* told me, by Order of the Admiral, that he would lie by for me, which he did not do, but, on the contrary, made more Sail from me. I am not any ways anſwerable for the Diſtance between his Diviſion and mine: For had not he thought himſelf powerful enough with ſo great a Superiority as

he

he had over the Enemy, he would have had the Prudence and Patience to have forborn engaging until I had got up, and been ready at Hand to ſuccour and ſupport him. As his Conduct alone made the Diſtance between the Center and Rear of our Fleet ſtill greater and more dangerous, it is not reaſonable I ſhould anſwer for his Raſhneſs; God forbid! Neither indeed could the Neglect he charges me with at Night, empower him in the Morning to act ſo oppoſite to Policy and the Art of War.

The Diſorder of the Van of our Fleet, and the Danger it was in from its Weakneſs, only ſeven Ships againſt nineteen of the Enemy, have appear'd at this Bar. And Mr. *Mathews*'s Account, publiſhed by Authority, confirms this, by ſaying, "that "there were but three *French* Ships engaged, the "reſt kept their Wind, in order to Tack and Wea-"ther us; but that our Van keeping the Wind of "them, prevented their Deſign's taking Place." And as it is notorious that Admiral *Mathews* did not direct the Van to keep the Wind, but keep the Signals for the Line, and engaging abroad, it appears that our Van was ſaved by Diſobedience, and that no Meaſures were taken by Mr. *Mathews* to ſecure it againſt more than two Thirds of the Confederate Fleet. It cannot be denied that the *Berwick*, the next Ship to the *Princeſs Caroline* in the Line of Battle, engaged the *Poder*, as her Lieutenant and Men became Priſoners, and ſhe is alſo ſaid

to

to have engaged that Ship by Mr. *Mathews*'s Account; by which it is evident by this Circumſtance alone, beſides the Evidences that have been examined, that all the Ships between her and the *Norfolk* in the Line of Battle, no leſs than eight Ships, *viz.* the *Somerſet*, *Princeſſa*, *Dragon*, *Bedford*, *Kingſton*, *Saliſbury*, and *Guernſey*, with the *Berwick*, were employ'd in firing at the *Poder*; that the *Norfolk* beat the *Conſtant* away out of the Enemy's Line; and that the *Marlborough* was left in Diſtreſs againſt the *Real* and her Second aſtern by the *Namur*, has not only been proved by Evidence at the Bar, but I appeal to Admiral *Mathews*'s Account, where he ſays, "that the *Marlborough*'s "driving a little too near him, obliged him to fill "his Sails, to prevent her coming on board of him; "and that having Occaſion to reeve new Braces, "with little Wind, and an ugly Swell, he could "not give the *Marlborough* the Aſſiſtance Captain "*Cornwall* wanted." And it cannot be doubted then, that had the *Dorſetſhire*, *Eſſex*, *Rupert*, and *Royal Oak*, bore equally down with the *Marlborough*, at the Beginning of the Action, the *Real* muſt have fallen into her Hands; as the *Spaniſh* Admiral's Second, the Ship that diſtreſs'd the *Marlborough*, and clear'd her Decks, would have been then match'd, if not over-power'd; and conſequently the ſternmoſt Ships, that were laid to my Charge, tho' they never got near enough to fire at the *Marlborough*, by this Means would have been ſtopt from getting a-head for me to have taken up.

Falſhood and Malice have aſpers'd me without Controul; but I now, with ſuch Evidence as have been examined, humbly ſubmit to the Honourable Committee, whether if the *Dorſetſhire*, *Eſſex*, *Rupert*, and *Royal-Oak* had done their Duty, the *Marlborough* had been ſo hard preſs'd upon; and whether the Cauſe that the *Real* and her Second did not fall into our Hands, and indeed the ſternmoſt Ships of the Enemy, was not owing to the Want of that Aſſiſtance which was ſo near at Hand, and not in any Manner to my Conduct?

It has been pretended, that Fire and Smoke obſtructed the Admiral's Sight; as if he had not left the *Marlborough*, or he had continued in Battle, and the Smoke had not gone to Leeward from him. On the contrary, his Stern lay towards the *Marlborough*, and it was impoſſible for him not to ſee how the Ships a-head and a-ſtern of him in the Line of Battle were employed. He had done with firing, his Perſon was not wounded, and what Smoke could there be to hinder him from diſtinguiſhing what was doing from the Van to the Rear of the Fleet? Neither can it be denied that the Situation of his Diviſion, and part of the Rear-Admiral's, was ſuch, againſt ſo few Ships of the Enemy, that from the beginning to the end of the Action they might have been ſhifted and diſpoſed of according to the Condition and Diſpoſition of both

Fleets; and it is ſo well known that he ſent Boats on board of the *Dorſetſhire*, *Eſſex*, and Fireſhip, that it cannot be diſputed. Nay Capt. *Cole*, of the Marines on board the *Dorſetſhire*, declar'd at the Bar, that an Officer came on board from the Admiral with Orders, tho' he could not ſay what they were; yet he ſaid the Captain with his Officers held a Conſultation upon receiving them, and their Reſult was not to go down nearer to the Enemy. Farther, I can prove that Lieut. *Bentley*, now a Captain, when he was ſent by Admiral *Mathews* to call me the third Day off Chace, told me he carried a Meſſage from the Admiral on board of the *Dorſetſhire*, and at the ſame Time called on board of the *Eſſex*. After ſuch Proofs, I ſubmit to this Honourable Committee, whether it can be ſaid, with the leaſt Shew of Reaſon, that Admiral *Mathews* had it not in his Power to correct and reform theſe Ships, trifling and throwing away their Shot, and whether with any degree of Juſtice Admiral *Mathews*, (as he does) can reckon the Conduct of theſe Ships part of his Charge againſt me.

It has appeared by the Boatſwain of the Fireſhip's Evidence, that the Fireſhip's Diſtreſs was ſuch, that her Captain, as he went under the *Dorſetſhire*'s Stern, hailed her, and deſired Aſſiſtance; yet nevertheleſs no Ships covered or conducted him.

At

At that Time there was neither Fire nor Smoke on either Side to hinder the Admiral from ſeeing that the *Dorſetſhire*, *Eſſex*, *Rupert*, and *Royal-Oak* kept to Windward, and looked on, where Duty and the Neceſſity of their Country's Cauſe call'd them; and yet after this notorious Neglect and Miſconduct, Admiral *Mathews* has charg'd me with the Miſcarriage of the Fireſhip. What is more, it is evident Mr. *Mathews* did not give Orders for the Fireſhip to prime before the Action, according to Practice, and the Nature of this Service, otherwiſe he would not have cenſur'd the deceas'd Captain, as he has done in his Account, by complaining of his Tedioufneſs in priming and coming down, but puniſh'd his Diſobedience; ſince ſuch Attempts entirely depend on Readineſs and ſudden Execution. For though a Ship may be ſo diſabled as to give a fair Opportunity for burning her, yet if the Fireſhip is not prim'd ready to catch the Occaſion when it offers, the Time ſhe will take to prime may very probably put the Enemy in ſuch a Condition as to defeat the Enterprize; for which Reaſon I took upon me, early in the Morning, to order the Captain of the Fireſhip in my Diviſion to prime before the Engagement.

It has been proved to the Honourable Committee, in the Courſe of the Examination, that our Van tack'd, and run from the *French* to join the

Center, after the Fireſhip had miſcarried ; and what corroborates this is Admiral *Mathews*'s Account, where he ſays, " That notwithſtanding the *French* " tack'd upon Rear-Admiral *Rowley*, they did " not think proper to engage him ; they however " retook the *Spaniſh* Ship, it being impoſſible to " do any thing with her, as ſhe had not a Maſt " ſtanding." And here I muſt beg Admiral *Mathews*'s Pardon ; for the *Poder* had her Fore-Maſt, Bowſprit, and Mizen-Maſt ſtanding ; but that he having wore in little Wind and a Swell, and formed the Line of Battle on the Starboard-tack, on purpoſe to get away from the *French*, who were juſt at hand, bearing down to deliver the *Spaniſh* Squadron, elſe why was the *Poder* left with the *Berwick*'s Lieutenant and People? In ſtanding from the Enemy, and leaving the Place of Battle, ſome ſhot were exchanged, as the Admiral with his Diviſion paſs'd by the four ſternmoſt Ships of the Enemy, which Mr. *Mathews* in his Charge againſt me calls engaging within Muſket-Shot ; and alſo that this hinder'd the *Real* from falling into his Hands, and occaſion'd him to be torn to Pieces, altho' it is evident he had left the *Real*, and he had, beſides the Ships a-ſtern, ſix a-head, *viz.* the *Dorſetſhire*, *Eſſex*, *Rupert*, *Royal-Oak*, *Dunkirk*, and *Cambridge*, that fired on this Occaſion in paſſing, and only four Ships of the Enemy fir'd : And as an undoubted Proof of what I affirm, it has been proved, and not controverted, that the

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Admiral fir'd his Larboard Guns the contrary Side that he attack'd the *Real* with, conſequently that this was a forced Fire, in endeavouring to get away.

Next Day (after the Action) was ſpent in forming a Line of Battle, and going down upon the Enemy, who were going from us with their crippled Ships, and at Night we brought to in great Order, ſuffering the Enemy to eſcape: According to which Admiral *Mathews*'s Account ſays, "That at Break of Day "he ſaw the Enemy's Fleet to Leeward of them, "and found they had tow'd all the crippled Ships "before the Wind all Night. The Admiral chaſed "them; the *French* lying in a Line of Battle to "Windward of the *Spaniards*, moſt of them Hull "to; but as he drew near them, they made Sail, "and left the diſabled ſixty Gun Ship: That there "was great Reaſon to believe that if there had been "any Wind, the *French* would have left the *Spa-* "*niſh* crippled Ships, as moſt of them had ſuffer'd "greatly."

The Honourable Committee will be pleas'd to obſerve in this Account, all the Circumſtances and Appearances of a fugitive Enemy, diſabled, and encumber'd with crippled Ships, yet Adm. *Mathews* brought to, a great Way to Windward of the Enemy, in a fine Moon-light Night. If he imagin'd the Enemy capable of running from him before the Action, as has

has been pretended, in order to excuſe his engaging them contrary to the Line of Battle, he muſt be truly ſenſible that they would now more endeavour at it, as their only Reſource lay in the enſuing Night to get away with their lame Ships.

In the Night before the Action, "he brought to, "by his own Account, within a little more than "three Guns ſhot of them, and order'd the *Eſſex* "to lie a Mile to Leeward of him, and the *Win-* "*chelſea* a good Muſket-ſhot to Leeward of the "*Eſſex*, to watch their Motions, and to make their "proper Signals, and ſtand after them, in caſe they "ſhould make Sail; and that he was ſo near, that "he could count the Enemy's Ships, after the Moon "was down." Here the Honourable Committee will be pleas'd to obſerve, that all the neceſſary Precautions were taken, leſt the Enemy ſhould endeavour to eſcape us when we were not ſo much as form'd in Order of Battle, and they were lying by for us in good Order; but when we had gain'd the Advantage, of diſabling four of their Ships, and burning another, he became more cautious, and brought to, at a much greater Diſtance, in Order of Battle, without ſending Cruizers to obſerve their Motions. What could occaſion two ſuch extraordinary Extremes, as the leaſt Danger could not ariſe by going nearer at this Juncture, is impoſſible to ſay; but it is certain, they are oppoſite to the Rules of War and Prudence, eſpecially as it would have been eaſy

for

for us to have kept Sight of them all Night, by making more and more Sail, as they appear'd leſs and leſs perceptible.

It has been proved that we ſaw the Enemy next Morning, and that I made a Signal for ſeeing twenty Sail of them. Mr. *Mathews*'s Account alſo ſays, "that he ſaw the Enemy next Morning, but at a "great Diſtance. And further it ſays; that after "the Admiral loſt Sight of the Enemy's Fleet, he "found all his Endeavours to rejoin them, or pro-"cure Intelligence of them, ineffectual, they being "gone, as he ſuppoſed, down the *Straights*."

Here he acknowledges that he ſaw the Enemy (notwithſtanding his Captain at that Time, Captain *Long*, declared at the Bar, that they could not ſee them from the Maſt-head;) but Mr. *Mathews* does not ſay one Word in his Account, of calling me off Chace; having gained ſo much on the Enemy, as to make them from the Deck, with a Separation between the *Spaniſh* and *French* Squadrons. Not ſatisfied with the Signal for that Purpoſe, the *Winchelſea* was ſent with Orders for me to come into the Fleet; and if it was Weather for her Boat to come on board of me, ſurely it was ſuch as might have been employed in going after a fugitive diſabled Enemy, without injuring our Ships Maſts that were wounded.

Admiral

Admiral *Mathews* ſays in his Account, "that "the Day before there was great Reaſon to be- "lieve, that if there had been any Wind, the *French* "would have left the *Spaniſh* cripppled Ships, as "moſt of them ſuffered greatly." And now that there was Wind ſufficient to bring him up with the Enemy to gain theſe Ships, or force a general Engage- ment, he gives over Chace, paſſing over this Particu- lar in his Account, or giving any Reaſon for ſuch extraordinary Conduct; at the ſame time pretending that he us'd all his Endeavours to rejoin the Enemy, or procure Intelligence of them, when it is notori- ous that he lay by all Day and next Night with an Eaſterly Wind.

Every Conſideration ſeem'd to enforce our Fleet purſuing the Enemy down the *Straights*, eſpecially as it was reported they expected Reinforcements from *Breſt*, and not one againſt it, even if it could have been Poſſible to have ſtrain'd our wounded Maſts by ſailing large: So great an Advantage and ſuch ſure Omens of Victory were worth running ſome riſque; and as the Enemy eſcaped by my being call'd off Chace, Mr. *Mathews*, who gave the Order, is alone anſwerable.

After that Queries, Anſwers, and Replies had paſt between us, on the 16*th* of *March*, above five Weeks after the Action, having ſent Mr. *Mathews* what is entitled my Rejoinder, a Paper of ſome Length and Reaſoning, without any farther Con-

ſideration

ſideration he ſent me the Letter of Suſpenſion. I ſtruck my Flag the ſame Night, and the next Morning many Boats came on board of the Ship, enquiring whether I was not dead; and even ſome Captains aſk'd me the Cauſe of my being ſuſpended; ſo little did it appear to the Fleet that I had miſbehaved or deſerved this ſevere Cenſure.

However, notwithſtanding this publick Cenſure, his Majeſty's Governor of *Minorca* ſeem'd to eſteem me an injur'd Man, by ſaluting me with fifteen Guns, when I ſailed out of the Harbour, on board of the *Salisbury* for *England*; and this is what he never would have done, had he imagined I had ſacrificed his Majeſty's Service, and the Honour and Intereſt of my Country.

When Admiral *Mathews* arrived from *England*, I not only ſaluted him myſelf, but I ordered all the Ships in the Fleet to do it, and went in my Boat, out of the Port of *Villa Franca*, to meet him before he got in. Had he been of the Royal Blood, I could not have paid him more Reſpect, or Submiſſion; in return to which, immediately on ſeeing me, before Monſ. *Corbeau*, the Commandant of the County of *Nice*, and ſome Field-Officers in the King of *Sardinia*'s Service, as well as a great many Captains of the Fleet, who were then on board of him, without any regard to Decency or good Manners, my Rank, and Reputation as an

Officer, he began with reprimanding me, telling me he was ſurprized, that as I had been ſo long in his Majeſty's Service, I had not yet learn'd to comply with his Inſtructions in writing to him, and ſending a Frigate down to *Gibraltar* to him. I anſwered, that I had done both, and if he had not received my Letters, nor met with the Frigate, it was not my Fault.

I had the Satisfaction and Pleaſure to receive the King of *Sardinia*'s Thanks, as alſo his Majeſty's entire Approbation of my Conduct by a Letter from the Duke of *Newcaſtle*, yet it was too difficult a Taſk for me to pleaſe Mr. *Mathews*.

He began his Command over me in this Manner, and ſuperſeded all the Officers that I had made, even my own Secretary, and thoſe that had been appointed before he ſail'd from *England*, and had come within the Juriſdiction of his Command.

This, I humbly apprehend, he had no more Power to do, than to ſuperſede the Officers that Mr. *Haddock* had appointed; ſince I had the King's Authority to command the Fleet.

Not to treſpaſs any longer on the Time of the Honourable Committee, having been thus arraign'd and condemn'd by Admiral *Mathews*, deprived of Commanding in Chief the Fleet, and my Share of the Prize-Money, I was ſent home, as a Delinquent, in a fifty Gun Ship, charged with a Convoy, full in the Sight of the Nation, to take all the

Blame

Blame and Odium of the Failure of His Majeſty's Fleet: as in the Shame and open Diſgrace thus put upon me, was involved the Miſconduct of every Perſon in the Fleet, as it has appear'd that no other has been accuſed by Admiral *Mathews*.

But with what Equity and Impartiality, I ſubmit to the Honourable Committee.

Here I have been near a Twelve-month; ſeen Junior Flag-Officers promoted to the Rank above me; left to ſtruggle, without any Friend, with the greateſt Misfortunes and Difficulties to come at my Trial, the indubitable Right of every *Engliſhman*: And had Mr. *Mathews* labour'd and endeavour'd as much to obtain an Enquiry, as I have done, the neceſſary Evidences would have been arrived to have perfected it before this Time, and entirely confuted the many ſcandalous Reports ſpread to blemiſh my Reputation.

I have nothing more to add, than that I hope, tho' I have not been arm'd for this Enquiry with my Evidence, yet I have given no Proof of conſcious Guilt, or a defective Cauſe.

The Perſecution of popular Clamour, and the Tortures of Miſrepreſentations and Calumny, have had their Days againſt me; but now the Time is at hand, when they muſt yield to Truth and Demonſtration.

F I N I S.

BRITISH MUSEUM

1. BY Authority, from the Originals on 7 Imperial Sheets, preſented by Vice-Admiral *Leſtock*, to the Honourable Houſe of Commons: Seven different Views of all the Scenes of Action, in the late Engagement near *Toulon*, between his Majeſty's Fleet and the combined Fleets of *France* and *Spain*, on the 11th, 12th, and 13th of *February*, 1743-4. With hiſtorical and critical Remarks and References upon each Plate: The whole engraved by Meſſ. *Parr*; infinitely preferable to any thing that has ever been exhibited in this Way: The Ships carefully placed in proper Poſitions and Situations.

2. The Hiſtory of the *Mediterranean* Fleet from 1741 to 1744; with Cuts, &c. *viz.* Original Letters and Papers between Adm——l *M*——*s* and Vice-Adm——l *L*———*k*, with ſeveral Letters from private Hands, exhibiting many Particulars hitherto unknown, of the Tranſactions in the *Mediterranean*: With Remarks on, and Anſwers to the Narrative of the Fleet from 1741 to 1744. Eſpecially on the Author's Partiality and great Liberties with the Characters of ſome Commanders; alſo ſome Obſervations on the Conduct of the *Breſt* Fleet, *&c.*

3. Vice-Adm——l *Leſtock*'s Account of the late Engagement near *Toulon*, between his Majeſty's Fleet and the Fleets of *France* and *Spain*; as preſented by him the 12th of *March*, 1744-5. Alſo Letters to and from Adm——l *Leſtock*, relating thereto, ſince his Arrival in *England*.

4. Admiral *Mathews*'s Charge againſt Vice-Admiral *Leſtock*, diſſected and confuted. By a King's Letterman.

N. B. *The Impartial Journal, and the Particular Account, publiſhed by Authority, are included in their proper Places, in this third Edition of the Narrative.*

5. A Fan Mount, repreſenting the *Britiſh* Fleet at Anchor, and all their proper Flags, *&c.*

6. *Millan*'s Eſtabliſhment of the Army and Navy, *&c.* for 1745.